THE NATIONAL ERA.

For the National Kra. THE FALL OF HUNGARY.

BY THE WORKSHOP BARD. Storm clouds have overcast thy sky, And fearfully the furious blast Hath swept thee, smitten Hungary, As o'er thy heritage it passed— Thy free, bold hearts, who firmly stood, Have stained the Theiss with their blood One pealing shout, one rallying call,

Rang from her wild Carpathian hills The startling summons wakened all. Each patriot bosom throbs and thrills, As Kossuth's voice rings to the sky, Strike we for God, and Hungary. Up from each green and sunny plain,

flown from each rugged mountain slope, Thick as the ears of bearded grain, Stern, serried ranks came sweeping on, And mountain gorge and rocky glen

Fire leaped from every flashing eye, Wrath crouched on every knitted brow Drawn sabres gleamed a quick reply, As Austria bade them basely bow, Owning her hated tyrant's away Over the rights of Hungary.

Down libe an avalanche of wrath They rushed upon their Cossack foes

With flery charge and deadly blows Rank upon rank was crushed and riven As by a lightning stroke from Heaven Proud Austria's Croats and Russia's horder Armed to the teeth in triple steel, Are mown like grass by Hungary's swords, The proud Magyar is on their heel; embal's shout rings quick and loud,

As peals the bolt from summer cloud Thy hour, thy glorious hour, had come-Thy triumph shout we bent to hear; O God! our hearts were stricken dumb-A Gorgey's treacherous career Hath done what Croats and Cossack hordes Could not achieve with spears and swords

No more the conquering arm of Bem Leads on thy host through gorge and glade. With flashing sabre pointing them Storming his way, in deadly ire. O'er a red track of blood and fire

No more we'll bear, at dawn of day, The cheering shout, "the clanging born. Wlud from the turrets, cold and gray, Of the old fortress of Comorn; The patriots drad are rough in sleeping On their loved soil, in Death's cold keeping

- Around thy desolated homes, Fa her, nor son, nor lover, comes Back to the old ancestral hall-Dead on the gary battle field,

How must thy poble spirits feel, To see those pirate banners float White Russia's Bear is on thy heel, And Austria's grip is on thy throat! Heavens! there are chafed hearts that fain Would tear those standards down again. God help thee, hapless "Father-land!"

Thy glorious heritage and pride Were trusted in a traitor's hand A base and guilty parrielde. Gorgey, thy memory shall be A curse, a taunt, a mockery.

Go hide within the Kremlim's wall. Thou traitor vile to Hungary's weal Go where her bleeding martyrs fall, Writhing beneath the Russian's steel-Where strangling cord, at Haynau's beck. Goes round each noble patriot's neck

Poured measureless upon thy head fier gory soil its flames shall nurse; The bones of her unburied dead, Through Kossuth, call on sons and sires, Let Russia forge her iron bands,

They'll burst with yet a wilder power Though on their necks the tyrant stands Magyars will know their rising hour; Young nurseling of Vienna's halls,t Ho! to the brave and noble band,

To Hungary's cause so tried and true Columbia stretches forth her hand— Our arms, our hearts, we open fling, To great you-a warm welcoming Troy, N. Y., December 13, 1849.

• " Curse him, people of the Magyara."

Kossuth's Address

t" And thou, O youthful monarch of the Hungarians Forget not that my nation is not destined for thes. Heaven inspires me with the confidence that the day will dawn when it shall be proved to thee, even on the ruined walls of Buda. Kossuth's Address to his Country.

PRESIDENT'S MESSAGE ON THE TEXAN BOUNDARY.

To the Senate and House of Representatives : I herewith transmit to the two Houses of Congress a letter from his Excellency the Governor of Texas, dated on the 14th day of June last, ad-dressed to the late President of the United States, which, not having been answered by him, came to my hands on his death; and I also transmit a copy of the answer which I have felt it to be my duty to cause to be made to that communication.

Congress will perceive that the Governor of Texas officially states that by authority of the Legislature of that State, he dispatched a special Commissioner, with full power and instructions to extend the civil jurisdiction of the State over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, situated on its north-

He proceeds to say that the Commissioner had reported to him, in an official form, that the military officers employed in the service of the United States, stationed at Santa Fe, interposed adverse-ly, with the inhabitants, to the fulfilment of his bliegt, in favor of the establishment of a separate State Government cast of the Rio Grande, and within the rightful limits of the State of Texas The four counties which Texas thus proposes to establish and organize, as being within her own jurisdiction, extend over the whole of the territory east of the Rio Grande, which has heretofore been regarded as an essential and integral part of the Department of New Mexico, and actually governed and possessed by her people, until con-quered and severed from the Republic of Mexico

by the American arms.

The Legislature of Texas has been called together by her Governor, for the purpose, as is understood, of maintaining her claim to the territory east of the Rio Grande, and of establishing over it her own jurisdiction and her own laws by force.

These proceedings of Texas may well arrest the attention of all branches of the Government of the United States; and I rejoice that they oc-cur while the Congress is yet in session. It is, I fear, far from being impossible that, in conse-quence of these proceedings of Texas, a crisis may be brought on which shall summon the two Houses of Congress, and still more emphatically the Ex-ecutive Government, to an immediate readiness

for the performance of their respective duties. By the Constitution of the United States, the President is constituted Commander-in-chief of the Army and Navy; and of the militia of the several States, when called into the actual service of the United States. The Constitution declares also that he shall take care that the laws be faithfully executed, and that he shall, from time to time, give to the Congress information of the state of the Union.

Congress has power, by the Constitution, to provide for calling forth the militia to execute the laws of the Union; and suitable and appropriate acts of Congress have been passed, as well for providing for calling forth the militia, as for placing other suitable and efficient means in the hands of the President to enable him to discharge

the constitutional functions of his office.

The second section of the act of the 28th of
February, 1795, declares that whenever the laws of the United States shall be opposed, or their execution obstructed, in any State, by combina-tions too powerful to be suppressed by the ordi-nary course of judicial proceedings, or the power vested in the marshals, the President may call forth the militia, so far as may be necessary to to suppress such combinations, and to cause the By the act of March 3d, 1807, it is provided

that, in all cases of obstruction to the laws, either of the United States or any individual State or Territory, where it is lawful for the President to call forth the militia for the purpose of causing the laws to be duly executed, it shall be lawful

for him to employ, for the same purpose, such part of the land or naval force of the United States as shall be judged necessary.

These several enactments are now in full force; so that if the laws of the United States are opposed or obstructed, in any State or Territory, by combinations too powerful to be suppressed by the judicial or civil authorities, it becomes a case in which it is the duty of the President either to call out the militia or to employ the militiary and naval out the militia or to employ the military and naval | powers thus vested in the President by the Con-

force of the United States; or to do both, if in his judgment the exigency of the occasion shall so require, for the purpose of suppressing such combinations. The constitutional duty of the President is plain and peremptory, and the authority vested in him by the force of the United States. With whatever mildness gallant conduct in arms, meant to act, or did act, of the purpose of suppressing such combinations. The constitutional duty of the President is plain and peremptory, and the authority of the propose of the was not authorized to do, nor do I understand him as intending to do, anything the vested in him as intending to do judgment the exigency of the occasion shall so require, for the purpose of suppressing such combinations. The constitutional duty of the President is plain and peremptory, and the authority vested in him by law for its performance clear and applied.

Texas is a State, authorized to maintain her own laws, so far as they are not repugnant to the Constitution, laws, and treaties of the United States; to suppress insurrections against her authority, and to punish those who may commit treason against the State, according to the forms provided by her own Constitution and her own laws. But all this power is local, and confined entirely within the limits of Texas herself. She can possibly confer no authority which can be lawfully exercised beyond her own boundaries. All this is plain, and hardly needs argument or elucidation. If Texan militia, therefore, march into any one of the other States or into any Territory of the United States, there to execute or enforce any law of Texas, they become at that enforce any law of Texas, they become at that moment trespassers; they are no longer under the protection of any lawful authority, and are to be regarded merely as intruders; and if within such State or Territory they obstruct any law of the United States, either by power of arms or mere power of numbers, constituting such a combination as is too powerful to be suppressed by the civil authority, the President of the United States has no option left to him, but is bound to obey the solemn injunction of the Constitution, and exercise the higher powers vested in him by that incise the higher powers vested in him by that in strument and by the acts of Congress.

Or it any civil posse, armed or inarmed, eliter into any Territory of the United States, with infor trial, for alleged offences, and this passe be too powerful to be resisted by the local civil authorities, such seizure or attempt to seize is to be prevented or resisted by the authority of the United

The grave and important question now arises, whether there be in the Territory of New Mexico any existing law of the United Seates, opposition to which, or the obstruction of which, would constitute a case calling for the interposi-tion of the authority vested in the President.

The Constitution of the United States declares that "this Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land." If, therefore, New Mexico be a territory of the United States, and if any treaty stipulation be in force therein, such treaty stipulation is the supreme law of the land, and is to be maintained and upheld accordingly.
In the letter to the Governor of Texas my rea-

sons are given for believing that New Mexico is now a Territory of the United States, with the same extent and the same boundaries which belonged to it while in the actual possession of the Republic of Mexico, and before the late war. In the early part of that war, both California and New Mexico were conquered by the srms of the United States at the millitary possession of the United States at the date of the treaty of peace. By that treaty the title by conquest was confirmed, and these Territories, Provinces, or Departments, separated from Mexico forever; and by the same treaty certain important rights and securities were solemnly guarantied to the inhabitants residing therein. By the fifth article of the treaty it is declared

"The boundary line between the two Repub-lies shall commence in the Gulf of Mexico three leagues from land, opposite the mouth of the Rio Grande, otherwise called the Rio Brava del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch, emptying directly into the sea; from thence, up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence westwardly, along the whole southern boundary of New Mexico, (which runs North of the town called Paso,) to its western termination; thence northward, along the west-ern line of New Mexico, until it intersects the first branch of the river Gila; or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same;) thence down the middle of the said branch and of the said river until it empties into the Rio Colo-rado; thence across the Rio Colorado, following the division line between Upper and Lower California, to the Pacific ocean."

The eighth article of the treaty is in the fol-

viously belonging to Mexico, and which remain for the future within the limits of the United States, as defined by the present treaty, shall be free to continue where they now reside, or to re-move at any time to the Mexican Republic, retaining the property which they possess in the said Territories, or disposing thereof, and remov-ing the proceeds whenever they please, without their being subjected on this account to any contribution, tax, or charge whatever.
"Those who shall prefer to remain in the said

Territories may either retain the title and rights of Mexican citizens, or acquire those of citizens of the United States. But they shall be under the obligation to make their election within one year from the date of the exchange of ratifications of this treaty; and those who shall remain in the said Territories after the expiration of that year, without having declared their intention to retain the character of Mexicans, shall be con-sidered to have elected to become citizens of the

United States."
"In the said Territories, property of every kind now belonging to Mexicans not established there, shall be inviolably respected. The present owners, the heirs of these, and all Mexicans who may hereafter acquire said property by contract, shall enjoy with respect to it guaranties equally

ample as if the same belonged to citizens of the United States." The ninth article of the treaty is in these

"The Mexicans who in the Territories aforesaid shall not preserve the character of the citizens of the Mexican Republic, conformably with what is stipulated in the preceding article, shall be incorporated into the Union of the United States, and be admitted at the proper time (to be judged of by the Congress of the United States) to the enjoy-ment of all the rights of citizens of the United States, according to the principles of the Consti-tution; and, in the mean time, shall be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion, without restric-

It is plain, therefore, on the face of these treaty stipulations, that all Mexicans established in Territories north of the line of demarkation already mentioned, come within the protection of the 9th article; and that the treaty, being a part of the supreme law of the land, does extend over all such Mexicans, and assures to them perfect sensitive the feet and extended that the treaty is the feet and assures to them perfect sensitive the feet and extended the labels and the supremental that is the feet and the supremental that is t curity in the free enjoyment of their liberty and property, as well as in the free exercise of their religion; and this supreme law of the land being thus in actual force over this Territory, is to be thus in actual force over this Territory, is to be maintained and enforced until it shall be displaced or superseded by other legal provisions; and if it be obstructed or restricted by combinations too powerful to be suppressed by the civil authority, the case is one which comes within the provisions of law, and which obliges the President to enforce those provisions. Neither the Constitution nor the law, my duty or my oath of office, leaves me any alternative or any choice in my mode of action.

The Executive Government of the United States has no power or authority to determine

States has no power or authority to determine what was the true line of boundary between of Guadalupe Hidalgo; nor has it any such power now, since the question has become a question between the State of Texas and the United States. So far as this boundary is doubtful, that doubt can only be removed by some act of Congress, to which the assent of the State of Texas may be necessary, or by some appropriate mode of legal adjudication; but, in the mean time, if disturbances or collisions arise, or should be threatened, it is absolutely incumbent on the Executive Government, however painful maintained. And he can regard only the actual state of things as it existed at the date of the treaty, and is bound to protect all inhabitants who were then established, and who now remain north and east of the line of demarkation, in the full enjoyment of their liberty and property, according to the provisions of the ninth article of the treaty; in other words, that all must now be regarded as New Mexico, which was possessed and occupied as New Mexico by citizens of Mexico at the date of the treaty, until a definite line of boundary shall be established by competent authority. This assertion of duty to protect the people of New Mexico from threatened violence, or from seizure to be carried into Texas for trial for alleged offences against Texan laws, does not at all include any claim of power on the part of the Executive, to establish any civil or military government within that Territory. That power belongs exclusively to the Legislative department, and Congress is the sole judge of the time and manner of creating or authorizing any such Government. The duty of the Executive extends only to the execution of laws and the maintenance full enjoyment of their liberty and property, ac-

Having thus laid before Congress the communication of his Excellency the Governor of Texas, and the answer thereto, and having made such observations as I have thought the occasion such observations as I have thought the occasion called for, respecting constitutional obligations which may arise in the further progress of things, and may devolve on me to be performed, I hope I shall not be regarded as stepping aside from the line of duty, notwithstanding that I am aware that the subject is now before both Houses, if I express my deep and earnest conviction of the propriety of an immediate decision, or arrangement, or settlement of the question of boundary between Texas and the Territory of New Mexico. All considerations of justice, general expeico. All considerations of justice, general expe-diency, and domestic tranquillity, call for this. It seems to be, in its character and by position, the first, or one of the first of questions growing out of the acquisition of California and New Mex-ico, and how calling for decision.

No Government can be established for New Mexico, either State or Territorial until it shall

Mexico, either State or Territorial, until it shall be first ascertained what New Mexico is, and what are her limits and boundaries. These can-not be fixed or known till the line of division between her and Texas shall be ascertained and established; and numerous and weighty reasons conspire, in my judgment, to show that this divisional line should be established by Congress, with the assent of the Government of Texas. In the mode of proceeding by which the end can be aced to, such proceedings would necessarily be slow, and years would pass by, in all probability, before the controversy could be ended. So great a delay in this case is to be avoided, if possible. It would be every way inconvenient, and might be the occasion of disturbances and collisions. For the same reason, I would, with the utmost deference to the wisdom of Congress, express a doubt of the expediency of the appointment of Commissioners, and of an examination, estimate,

and an award of an indemnity to be made by them. This would be but a species of arbitra-tion, which might last as long as a suit at law. So far as I am able to comprehend the case, the general facts are now all known, and Congress is as capable of deciding on it justly and properly now, as it probably would be after the report of

If the claim of title on the part of Texas appear to Congress to be well founded, in whole or in part, it is in the competency of Congress to offer her an indemnity for the surrender of that claim. In a case like this, surrounded as it is by many cogent considerations, all calling for ami cable adjustment and immediate settlement, the lovernment of the United States would be justified, in my opinion, in allowing an indemnity to Texas, not unreasonable and extravagant, but fair, liberal, and awarded in a just spirit of ac-

I think no event would be hailed with gratification by the people of the United States than the amicable arrangement of questions of difficulty, which have now for a long time agitated the country, and occupied, to the exclusion of other subjects, the time and attention of Con-

Having thus freely communicated the results of my own reflections on the most advisable mode of adjusting the boundary question, I shall nevertheless cheerfully acquiesce in any other mode which the wisdom of Congress may devise. And, in conclusion, I repeat my conviction that every consideration of the public interest manifests the necessity of a provision by Congress for the settlement of this boundary question before the present session be brought to a close. The settlement of other questions connected with the same subject, within the same period, is greatly to be desired; but the adjustment of this appears to me to be in the highest degree important. In the train of such an adjustment, we may well hope that there will follow a return of harmony and good will, an increased attachment to the Union, and the general satisfaction of the coun-Washington, August 6, 1850.

DEPARTMENT OF STATE,

Washington, August 5, 1850.

Sin: A letter addressed by you to the late
President of the United States, and dated on the 14th of June last, has, since his lamented de-cease, been transferred to the hands of his successor, by whom I am directed to transmit to you the following answer

of the Legislature of Texas, the Executive of that State, in February last, despatched a special Commissioner, with full power and instructions to extend the civil jurisdiction of that State over the unorganized counties of El Paso, Worth, Presidio, and Santa Fe, situated upon its northwestern limits; and that the Commissioner has reported to you, in an official form, that the military officers employed in the service of the United States, stationed at Santa Fe, interposed adversely with the inhabitants to the fulfilment of his object, by employing their influence in fa-vor of the establishment of a separate State Gov-ernment east of the Rio Grande, and within the rightful limits of the State of Texas. You also transmit a copy of the proclamation of Colonel John Munroe, acting under the orders of the Government of the United States, under the designation of Civil and Military Governor of designation of Civil and Military Governor of the Territory of New Mexico, and respectfully request the President to cause you to be informed whether or not this officer has acted in this matter under the orders of his Government, and whether his proclamation meets with the approval of the President of the United States?

In the events which have occurred, I hardly know whether your Excellency would naturally expect an answer to this letter from him. His predecessor in office, to whom it was addressed, and under whose authority and direction the proclamation of Colonel Munroe was issued, is no more; and, at this time, that proclamation, whatever may be regarded as its true character, has ceased to have influence or effect. The meeting of the people of New Mexico, by their representatives, which it invited, is understood to have taken place, although this Government has as yet received no official information of it.

Partaking, however, in the fullest degree, in that high respect which the Executive Governnent of the United States always entertains towards the Governors and the Governments of the States, the President thinks it his duty, nevertheless, to manifest that feeling of respect, by acknowledging and answering your letter. And this duty, let me assure your Excellency, has been so long delayed only by uncontrollable circumstances, and is now performed at the earliest practicable moment, after the appointment of those heads of Departments, and their acceptance of effice with whom it is recent. ance of office, with whom it is usual, on important occasions, for the President of the United States

In answer, therefore, to your first interrogatory, viz: whether Colonel Munroe, in issuing the proclamation referred to, acted under the orders that Colonel Munroe's proclamation appears to have been issued infoursuance or in consequence of an order, or letter of instruction, given by the late Secretary of War, under the authority of the late President, to Lieutenant Colonel McCall. Of this order, which bears date on the 19th of Of this order, which bears date on the 19th of November, 1849, your Excellency was undoubtedly informed at the date of your letter. A full and accurate copy, however, is attached to this communication. Colonel McCall is therein instructed, that if the people of New Mexico, for whom Congress had provided no Government, should manifest a wish to take any steps to establish a Government for themselves and send for lish a Government for themselves, and apply for admission into the Union, it would be his duty, and the duty of others with whom he was asso ciated, not to thwart, but to advance their wishes ciated, not to thwart, but to advance their wishes. This order does not appear to authorize any exertion of military authority, or of any official or even personal interference, to control or affect in any way the primary action of the people in the formation of a Government, nor to permit any such interference by subordinate officers. Col. McCall and his associates were not called upon to take a lead in any measures, or even to recommend anything as fit to be adopted by the people. mend anything as fit to be adopted by the people. Their whole duty was confined to what they might be able to perform, subordinate to the wishes of the people. In this matter it was evi-dently contemplated that they were to act as the agents of the inhabitants, and not as officers of this Government. It must be recollected that wishes of the people. In this matter it was evidently contemplated that they were to act as the agents of the inhabitants, and not as officers of this Government. It must be recollected that the only Government. It must be recollected that the only Government then existing in the Territory was a quasi military Government, and as Congress had made no provision for the establishment of any form of civil Government, and as the President doubtless believed that under these circumstances the people had a right to frame a Government for themselves, and submit it to congress for its approval; the order was a direction that the then existing military Government should not stand in the way of the accomplishment of a free, popular, republican civil Government, for their own protection and benefit. This is evidently the whole purpose and object of the order. The military officer in command, and his ascolates, were American citizens, acquainted with the forms of civil and popular proceedings, and it was expected that they would aid the inhabitants of the Territory, by their advice and assistance, in their proceedings for establishing a Government of their own. There is no room to suppose that Colonel Munroe, an officer as much distinguished for prudence and discretion as for

whatever in his military character, nor to represent, in any way, the wishes of the Executive Government of the United States.

To judge intelligently and fairly of these transactions, we must recall to our recollection the circumstances of the case, as they then existed. Previous to the war with Mexico, which commenced in May, 1846, and received the sanction of Congress on the 13th of that month, the Terof Congress on the 13th of that month, the Ter-ritory of New Mexico formed a Department or State of the Mexican Republic, and was governed by her laws. General Kearny, acting under or-ders from this Government, invaded this Depart-ment with an armed force; the Governor fled at his approach, and the troops under his command dispersed; and General Kearny entered Santa Fe, the capital, on the 18th of August, 1846, and took possession of the territory in the name of the United States. On the 22d of that month he issued a proclamation to the inhabitants, statthe United States. On the 22d of that month he issued a proclamation to the inhabitants, stating the fact that he had taken possession of Santa Fe, at the head of his troops, and announcing his "intention to hold the Department with its original boundaries, (on both sides of the Del Norte,) and under the name of New Mexico." By that and under the name of New Mexico." By that proclamation he promised to protect the inhabit-ants of New Mexico in their persons and properold would be called upon to ... of freemen in electing their own representatives

he established a Territorial Constitution by an organic law, which provided for executive, legis-lative, and judicial departments of the Govern-ment, defined the right of suffrage, and provided for trial by jury, and at the same time established a code of laws. The Constitution declared that "the country heretofore known as New Mexico shall be known hereafter and designated as the Territory of New Mexico, in the United States of America," and the members of the lower house of the Legislature were apportioned among the counties established by the decree of the De-partment of New Mexico of June 17, 1844, which counties it is understood included all the territory over which Texas has lately attempted to nize counties and establish her own jurisdiction. On the 22d of December, 1846, a copy of this Constitution and code was transmitted by President Polk to the House of Representatives, in pursuance of a call on him by that body. In the message transmitting the Constitution, he

the message transmitting the Constitution, he says that "portions of it purport to establish and organize a permanent Territorial Government over the Territory, and to impart to its inhabitants political rights which, under the Constitution of the United States, can be enjoyed permanently only by citizens of the United States. These have not been approved and recognised by me. Such organized regulations as have been established in any of the conquered Territories, for the security of our conquest, for the preservation of order, for the protection of the rights of the inhabitants, and for depriving the enemy of the advantages of these Territories, while the miliadvantages of these Territories, while the mili-States continues, will be recognised and approved." Near four years have now elapsed since this quasi military Government was established, by military military Government was established, by military authority, and received, with the exceptions mentioned, the approval of President Polk. In the mean time a treaty of peace has been concluded with Mexico, by which a boundary line was established that left this Territory within the United States, thereby confirming to the United States, by treaty, what we had before acquired by conquest. The treaty, in perfect accordance with the proclamation of General Kearny, declared that the Mexicons remaining in this Territory should be incorporated into the Union of the United States, and be admitted at the proper time, (to be judged of by the Congress of the United States,) to the enjoyment of all the rights of citizens of the United States, according to the principles of the Constitution; and in the mean time "should be maintained and protected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion without restriction." Thus it will be perceived that the authority of the United States over New Mexico was the result of conquest; and the possession held of it in the first place was of expressions. Mexico was the result of conquest; and the pos-session held of it, in the first place, was of course a military possession. The treaty added the title by cession to the already existing title by successful achievements in arms. With the peace there arose a natural expectation that, as early as possible, there would come a civil Government to supersede the military. But, until some such form matter of absolute necessity that the military government should continue, as otherwise the

country must fall into absolute anarchy. And this has been the course, generally, in the prac-tice of civilized nations, when colonies or terri-tories have been acquired by war, and their acquisition confirmed by treaty.

The military government, therefore, existing in New Mexico at the date of the order, existed there of inevitable necessity. It existed as much against the will of the Executive Government of the United States as against the will of the peo-ple. The late President had adopted the opinion that it was justifiable in the people of the Territhat it was justifiable in the people of the Terri-tory, under the circumstances, to form a constitu-tion of government, without any previous author-ity conferred by Congress; and thereupon to ap-ply for admission into the Union. It was under this state of things, and under the influence of these opinions, that the order of the 19th of No-vember last was given, and executed in the man-ner we have seen. The order indicates no bound-ary, and defines no territory, except by the name ary, and defines no territory, except by the name of New Mexico; and so far as that indicated anything, it referred to a known Territory, which had been organized under military authority, approved by the Executive, and left without remonstrance or alteration by Congress for more than three years. It appears to the President that such an order could not have been intended to

invade the rights of Texas. Secondly, you ask whether the proclamation of Colonel Munroe meets with the approval of the President of the United States?

To determine this question, it is necessary to look at the object of the proclamation and the effect of the proceedings had under it. If the object was to assume the authority to settle the disputed boundary with Texas, then the President has no hesitation in saying that such object does not meet with his approbation, because he does not believe that the Executive branch of this Government, or the inhabitants of New Mexico, or both combined, have any constitutional authority to settle that question. That be-Federal Government or to the concurrent action by agreement of the Legislative Departments of the Governments of the United States and Texas. But it has been sufficiently shown that Col. Mun-roe could have had no such object, and that his intention was merely to not in aid of the peo-ple in forming a State Constitution to be submit-ted to Congress. Assuming then that such a Con-stitution had been formed, what is its effect upon the disputed boundary? If it compromits the rights of either party to that question, then it does not meet with the President's approbation; for he deem it his duty to leave the extilement of that question to the tribunal to which it constitu

tionally belongs. It is sufficient for him that this boundary is in dispute; that the territory east of the Rio del Norte seems to be claimed in good faith both by Texas and New Mexico, or rather by the United States. Whatever might be his judgment in regard to their respective rights, he has no power to decide upon them, or even to negotiate in regard to them; and therefore it would be improper for him to express any opinion. The subject matter of dispute is between the United States and Texas, and not between the inhabitants of New Mexico and Texas. If those people should voluntarily consent to come unpeople should voluntarily consent to come un-der the jurisdiction of Texas, such consent der the jurisdiction of Texas, such consent would not bind the United States to take away their title to the territory. So, on the other hand, if they should voluntarily claim the title for the United States, it would not deprive Texas of her rights. Whatever those rights may be, they can only be affected by her own acts or a judicial decision. The State Constitution formed by New Mexico can have no legal validity until it is recognised and adopted by the law-making power of the United States. Until that is done, it has no sanction, and can have no effect upon the rights of Texas or of the United States to the territory in dispute. And it is not to be presumed that

any manner whatever, as a question of title. In one of his last communications to Congress that of the 17th of June last, the late Presiden repeated the declaration that he had no power to decide the question of boundary, and no desire to interfere with it, and that the authority to settle that question resides elsewhere. The object of the Executive Government has been, as I believe, and as I am authorized to say it certainly now is, to secure the peace of the country; to maintain, as far as practicable, the state of things as it ex-isted at the date of the treaty; and to uphold and isted at the date of the treaty; and to uphold and preserve the rights of the respective parties, as they were under the solemn guaranty of the treaty, until the highly interesting question of boundary should be finally settled by competent authority. This treaty, which is now the supreme law of the land, declares, as before stated, that the inhabitants shall be maintained and prothat the inhabitants shall be maintained and pro-tected in the free enjoyment of their liberty and property, and secured in the free exercise of their religion. It will, of course, be the President's duty to see that this law is sustained, and the pro-tection which it guaranties made effectual; and this is the plain and open path of Executive duty, in which he proposed to tread

in which he proposes to tread.

Other transactions of a very grave character are alluded to and recited in your Excellency's letter. To those transactions I am now directed not more

To those transactions I am now directed not more particularly to advert, because the aply questions which Colonel Munroe acted, and the approval of his creations in the minimum of diseases of diseas and that of Texas, as shall carry the country through these dangers, and bring it safely out of them all, and with renewed assurances of the con-tinuance of mutual respect and harmony in the

I have the honor to be, with entire regard, your Excellency's most obedient servant,

Daniel Webster.

To his Excellency P. H. Bell, Governor of Texas.

LIBERTY ALMANAC FOR 1851.

HE American and Foreign Anti-Slavery Society have just outlished another stereotyped Alganac, dor the ing year, with special reference to the great question overy at the present time, and in the expectation that the ends of the cause throughout the country will co-operatificating extensively the valuable statistical and reading test it contains. Considering the expense at which it is 1, and the increased farilities for forwarding it, by express therwise, from New York, over the whole of the North States, it is confidently expected that the circulation as year will greatly exceed that of any previous year. So the useful matter cannot well be circulated at less expense and the contained of the contained of the second contained the contained of the second contained and the circulation as the second contained the circulation of the contained of the contained and the circulation as the contained of the circulation of the contained of the circulation of the circulat LIBERTY ALMANAC FOR 1851.

The Almanac is handsomely printed, on finer paper the usual, with well-executed wood engravings, prepared expressly for it, illustrating the sacape of Henry Rox Brown ascene at Washington, and the kneeling Slave Mother Brides the Calendar, which is equal in all respects to that the American Tract Nociety's Almanac contains a variet for interesting and valuable reading and statistical article of an anti-slavery character, selected and original. The prices will be as follows:

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their neighborhood, before visiting New York, to have a few
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cents.

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Will commence on the first Monday of November, and continue seventeen weeks, (the last week devoted to the cand dates for graduation.) The expense of tickets, \$72; matriculation, \$3; graduation, \$20. Board, from \$2 to \$3 persons. week.

One hundred dollars, in advance, will secure a certifica

WINTER SESSION OF 1850

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FOR purifying the blood, and for the cure of Scrofula, F. Rheumatism, Stubborn U cers, Dyspepsia, Salt Rheum, Ferer Sores, Erysipelas. Pimples, Bles, Mercurial Discusses, Culumeous Eruptions, Liver Complaint, Bronchitis, Consumption, Female Complaints, Loss of Appetite, General Debility, ec.

In this preparation we have all the restorative properties of the root, combined and concentrated in their utmost strength and efficacy. Experiments were made in the manufacture of this medicine, until it was found it could not be improved. Accordingly, we find it resorted to simost universally in cases of scrofula, liver diseases, mait rheum, general prostration of the vital powers, and all those tormenting diseases of the skin, so trying to the patience and injurious to the health. It is a tonic aperient, and disinfectant. It acts simultaneously upon the stomach, the circulation, and the bourds; and thus three processes, which are ordinarily the result of three different kinds of medicine, are carried on at the same time, through the instrumentality of this one remedial agent. There are many ways of relieving pain for the time being, but there is only one way of removing disease. No palliative, no anodyne, no topical application, will remore it. It must be at acked at its source, in the frields of the body, which convey the poison to the localities where it is developed in inflammation, sores, ulcers, tumors, abscesses, giandular swellings, &c., as the case may be.

These fluids must be reached, acted upon, purified, by some powerful agent. Such an agent is Sand's Sursuparillo, which gently stimulates while it disinfects and expels from the stomach and bowels all that is irritating, and at the same time reatores their vigor and tone. Its great merit is that it meets and neutralizes the active principle of discase itself, and when that is gone, the symptoms necessarily disappear. The rapidity with which the patient recovers health and strength under this triple influence is surprising

rienced its effects, to convince thereunity itself of the value.

Lieutenant Miller, of the army, has kindly sent us the following letter from California: MONTHREY, JANUARY 18, 1860.

Messys. A. B. & D. Sands:

GENTLEMEN: I begieve to add my testimony in favor of your invaluable medicine, hoping it may lead some other unfortunate beings to try its effects, and that they may be benefited as I have been.

I arrived here from the United States by the overland route, about the lat of October last. A few days after, I was attacked with a very disagreeable eruption of the skin which my physician could not cure. I happened to find your Sar aparilla in a store in this place, and remembering the popularity of the medicine at home, I purchased three bottles, which had the desired effect of removing my difficulty entirely. With high regards, yours, &c.,

J. H. MILLER, U. S. A.

Here is another, master home:

Here is another, nearer home; NEW YORK, JANUARY 8, 1850.

NEW ORLEANS, NOVEMBER 12, 1849. Mesars. Sands;

Grantleman: I take the liberty of sending you a letter which may be of importance to those who are suffering as have done. I received great baseful from your Sarsaparilla having been cured of a malady after a suffering six years. I hereby cheerfully certify to the good affect of your medicine, and I hope God will reward you for all the good you have done. A chronic cough had tormested me day and night, and repeated attacks of fever induced me to believe that it should die with consumption. One day, while suffering a violent attack of burning fever, a friend persuaded me to try your incomparable modicine, but, to tell the truth, I had no confidence in it. I finally purchased a bottle and by its use and the heip of God I was restored to better health than I had enjoyed for six years. I cannot but bless the author Mesers. Sande:

JUST PURLIMHED,

BUCHANAN'S JOURNAL OF MAN. Edited and published by Dr. J. R. Buchanan, Professor of Physiology and Institutes of Medicine in the Eclectic Medical Institute* of Cincinnati.

Physiology and maintains of Medicals in the Ecketic Medical Institute' of Cincinnati.

Titis Journal is devoted to the entire science of man, and especially to recent and wouderful discoveries in Phrenology, Physiology, Psychology, and other anthropological sciences. Vol. I, terminating in June, 1850, comprises 620 pages, and eight engravings—price \$2. Vol. II, crameneing in July, will be published in monthly numbers of 32 pages, at \$1 per annum, in advance. The editor of this Journal is the original discoverer of the impressibility of the brain, and of many of its functions undiscovered by Gallor Spursheim. His lectures in the institute elicited from his class the following expression:

"While therefore we gratefully accord distinguished honor to the labors of Gall and his coadjutors, we do at the same time regard the contributions which have been made to Anthropology by Dr. Buchanan as far exceeding those of his predocessors."

Many similar statements, from classes and committees of investigation, might be adduced. The readers of the Journal speak of its contents in enthusiastic language, and the venerable Professor Caldwell, the father of Phrenology in America, as well as its most distinguished and learned champion, says of the Journal:

The knowledge your Journal:

The knowledge your Journal contains is of an elevated, rare, and reflued order, and a valuable character. At present, however, you are in advance of the age."

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*The Eclectic Medical Institute is the principal Medical College of Cincinnati, and is one of the seven leading medi-cal schools of America. Its instruction is remarkable for its liberal and comprehensive scope July 18—1m

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This Establishment is situated at Bensonville, on the west bank of Mill river, two and a half milles from the Northampton Ralifroad Depot, seven hours ride from New Yests, should give to be been some side from New Yests, should give to be been of the planameter valleys of New England, surrounded with wood grown hills, with shady walks, and abundantly suplemes for water-care purposes, such as large plunge baths, douches, and airy lodging rooms for about fifty patients, separate for either sex, a gymnasium, piano, &c. The Dector being the earliest disciple of Priessnitz now living, and having an experience of more than fifteen years of his own, (bis writings on Water Cure being in the hands of every European hydropath,) hopes to respond to any reasonable expectations from the Water Cure system, made on the part of those sufferers who may confide themselves to him. He, as well as his wife and family, will exeit themselves to insure to their patients every comfort compatible with the chief purpose of their residence in the establishment.

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July 25—Im.

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May 23—ly

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*une 6—3m

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PARKEVILLE HYDROPATHIC INSTITUTE.

A T a meeting of the Board of Managers of the Parkeville
A Hydropathic Institute, held Fifth month 16th, 1850,
Joseph A. Weder, M. D., was unanimously elected Resident
Physician in the place of Dr. Dexter, resigned.
Having made various improvements, this institute is now
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from Dr. Weder's well-known skill and practical experience
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The domestic department being under the charge of a Steward and Matron, will enable the Doctor to devote to the patients whatever time may be necessary.

Application for admission to be made to SAMUEL. WEBB, Secretary.

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The main building is three stories high, standing back from the street about one hundred feet, with a semicircular grass plot in front, and contains thirty to forty rooms. The grounds around the house are tastefully laid out with walks and plauted with trees, shrubs, &c. On the left of the entrance to these grounds is a cottage containing four rooms, used by male patients as a bathing house, with every convenience for "packing," bathing, &c.; on the right of the entrance, about two hundred feet distant, stands a similar cottage, used by the indies for similar purposes.

In the rear of the Institute, at the distance of one hundred feet, are three other cottages, some eighty feet apart. One of these is the laundry, with a hydrant at the doer; the other two are occupied by the servants.

The hydrant water is introduced into these cottages as well as into the main building, and all the waste water earried off by drains under ground.

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Consist of a circular atone building, standing on the brow of a hill, surmounted by a large cocar reservoir containing five hundred barrels brought from a nevge-falling search pure cold water in the side of the hill, by a hydraulic ram," a self-acting machine of cast iron, that is kept constantly goine, nicht and dag he had a head of the standing with the spring. The surplus water is carried from the reservoir to a fountain in the water works yard surrounded by weeking without. In the first story of the water works is a circular room, containing the douche bath, which is a stream falling from a height of about thirty feet, and can be varied in size from half an inch to an inch and a half util diameter. Adjoining the douche room is a dressing room, with marble tables, do.; the rising douche for the cure of piles, do.) is one of the most complete contrivances of the kind, being entirely under the coutrol of the patient using the same.

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There are many other appliances, which can be better us derstood by a personal examination.

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CONVEX SPIRAL TRUSSES; Dr. Chase's trusses,
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Also, Whispering Tubes and Ear Trumpets, that will
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All ladies in want of abdominal supporters or trusses will be waited upon by his wife, Mrs. Caroline D. Foster, who has had twenty years' experience in the business.

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ATTORNEY AND COUNSELLOR AT LAW. CONTINUES to practice in the Supreme Court of the United States, in the Courts of the District of Columbia, staryland, and Virginia, to prosecute claims of all kinds against the United States, either before Congress or any of the Executive Departments, and to procure letters patent for inventions. Business confided to his care will be prompty attended to.

N. B. Particular attention paid to the prosecution of laims before the Brazilian Commission now eiting in

THE ORIGINAL DISCOVERER OF
THE GENUINE TOWNSEND SARSAPARILLA.
OLD Dr. Townsend is now about seventy years ofage, and
has long been known as the Author and Discovered of
the genuine original "Townsend Sarsaparilla" Being
poor, he was compelled to limit its manufacture, by which
means it has been kept out of market, and the sal a circumscribed to those only who had proved its worth and known
its value. It had reached the ears of many, nevertheless, as
those persons who had been healed of sore disease, as
those persons who had been healed of sore disease, as
aved from death, proclaimed its excellence and wonderful
healing power. This

Grand and Unequalled Preparation is manufactured on the largest scale, and is called for throughout the length and breach of the land.

Unlike young S. P. Townsend's, it improves with as e, and never changes, but for the better; because it is prepared on scientific principles, by a scientific man. The highest knowledge of Chemistry, and the latest discoveries of the Art, have all been brought into requisition in the manufacture of the Old Doctor's Surveyardia. The Sarsaparilla root, it is well knewn to medical man, contains many medicinal properties, and some properties which are inert or useless; and others, which, if retained in preparing it for use, produce fermentation and acid, which is injurious to the system. Some of the properties of Sarsaparilla are so volatile, that they entirely evaporate and are lost in the preparation, if they are not preserved by a scientific process, known only to those experienced in its manufacture. Moreover, these volatile, or in the preparation, if they are not preserved by a scientific process, known only to those principles, which fly off in vapor, or as an exhalation, under heat, are the very essential medical properties of the reot, which give to it all its value. The Grand and Unequalled Preparation

Genuine Old Dr. Jacob Townsend's Sarsaparille Genuine Old Dr. Jacob Townsend's Saramparilla is so prepared, that all the inert properties of the Sarasparilla root are first removed, everything capable of becoming acid or of fermentation is extracted and rejected; then every particle of medical virtue is secured in a pure and concentrated form, and that it is rendered incapable of losing say of its valuable and healing properties. Prepared in this way, it is made the most powerful agent in the Cure of Innumerable Discases.

Hence the reason why we hear commendations on every side, in its favor, by men, women, and children. We find it doing wonders in the cure of Consumption, Dyspepsia, and Liver Complaint, and in Rheumatism, Scrofula, and Piles, Castireness, all Cultaneous Eruptions, Pimpies, Blotches, and all affections arising from

Impurity of the Blood.

It possesses a marvellous efficacy in all complaints arising

all forms of Nervous Diseases and Debility,

and thus prevents or relieves a great variety of other diseases, as spinal irritation, neuralgia, St. Vitus dance, swooning, epileptic fits, convulsions, &c.

Is not this, then,

The Medicine you Pre-eminently Need?

Is not this, then,

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But can any of these things be said of S. P. Townsend's inferior article! This young man's liquid is not to be

Compared with the Old Dr.'s,

because of one Grand Fact, that the one is Incapable of Deterioration and

Never Spells,

while the other does; it sours, ferments, and blows the bottles containing it into fragments; the sour, sed liquid exploding and damaging other goods! Must not this horrible compound be poisonous to the system I what! put seid into a system stready diseased with seld. What cause dyspepsis but seid! Do we not all know, that when feed sours in our atomachs, what mischlef it preduces!—Rabules ce, heartburn, palpitation of the heart, liver complaint, diarrhous, dysen'ery, colic, and corruption of the blood? What is seroful but an acid humor in the body? What produces all the humors which bring on eruptions of the skin, seald head, and rheum, erysipelas, white swelling, fever-sore, and all seterations, internal and external? It is nothing under heaves but an acid substance, which sours and thus spoils all the fluids of the body, more or less. What causes theumatism, but a sour, acid fluid, which insinuates itself between the joints and elsewhere, irritating and inflaming the tender and delicate tiasues upon which it acts! So of nervous diseases, of impurity of the blood, of deranged circulations, and nearly all the all ments which sfilled human nature.

Now, is it not horrible to make and sell, and infinitely worse to use, this

Seuring, Fermenting, Acid "Compound" of S. P.

and yet he would fain have it understood that Old Dr. Jacol Townsend's Genuine Original Surveparilla is an Imitation of his inferior preparation!!

Heaven forbid that we should deal in an article which would begat he most distant recombinates to S. P. Townsend's